

MAIL STOP NON FEE RESPONSE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450



Image

1771

Re: Our File: RELIANT 3.0-001A TRADEMARK Group Art Unit: 1771

Applicant: ARNOLD M. SHULMAN

Serial No.: 10/004.268

Examiner: ARTI SINGH

Filed: 11/02/01

For: MOISTURE-RESISTANT, SHAPE-RETAINING Batch No. :  
FABRIC, RIBBON AND BOW AND PROCESS FOR  
Sir: MANUFACTURING SAME

Dear Sir: MANUFACTURING SAME

Enclosed for filing in the United States Patent and Trademark Office is  
the following:

Law Firm Transmittal Letter & COPY ( ) Letter/Official Draftsmen  
 Response/Amendment to RESTRICTION AQMT. ( ) Petition  
 Affidavit/Declaration ( ) Request for Ext. of Time  
 Notice of Appeal ( ) Small Entity Statement(s)  
 Assignment and cover sheet  Postcard acknowledging  
 Certificate of Correction receipt of above-identified  
 Check No. \_\_\_\_\_ - \$ \_\_\_\_\_ material  
 Claim of Priority - Cert'd Copies  
 Communication ( )  
 Drawings \_\_\_\_\_ sheets - ( )  
Formal/Informal ( )  
 Issue Fee/Maintenance Fee ( )  
 Information Disclosure Statement; Reference, Tabs -

Conditional Petition and Fee for Extension of Time: If any extension of time for the accompanying response is required, applicant requests that this be considered a petition therefor.

In connection with the above-identified matter, please charge any additional fees or any other charges related to this matter to the deposit account of the writer. No. 23-0812. Respectfully submitted

~~Respectfully submitted,~~

Edward R. Weingram  
Registration No. 24,493  
WEINGRAM & ASSOCIATES, PC  
P.O. BOX 927  
Maywood, NJ 07607  
TEL: (201) 843-6300  
FAX: (201) 843-6495

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE  
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RECEIPT 3.00-002  
TRADEMARKS 03d104.rel

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Arnold M. Shulman  
Serial No.: 10/004,268  
Filed: November 2, 2001  
For: Moisture-Resistant, Shape-Retaining Fabric, Ribbon and Bow and Process For Manufacturing Same

Examiner: Arti Singh  
Group Art Unit: 1771

Honorable Commissioner of  
Patents and Trademarks  
**M.S. Non Fee Response**  
Washington, D.C. 20231

**RESPONSE TO RESTRICTION REQUIREMENT**

Sir:

Responsive to the second restriction requirement mailed February 19 2004, applicant provisionally elects, with traverse, Claims 19-23 of Group II at this time.

**REMARKS**

The undersigned counsel expresses her thanks to the Examiner for her courtesy during a telephone conference on March 3, 2004 regarding the restriction requirement.

As discussed, applicant elected Group II (Claims 19-23), with traverse, for examination in its response to the first Restriction Requirement mailed August 26, 2003. The Examiner explained that the second Restriction Requirement sets forth a different basis for restriction than the first Restriction Requirement, and therefore, applicant's prior election was not effective. The Examiner further indicated that a written response to the second Restriction Requirement was required.

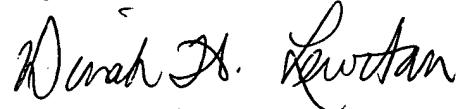
Accordingly, applicant hereby elects Group II, Claims 19-23, with traverse, for examination at this time.

Even if the Examiner were to persist in the belief that these two groups of claims should be restricted, it is worth noting that the Manual of Patent Examining Procedure states:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even if it includes claims to distinct or independent inventions. [MPEP 803, emphasis added].

In view of the above remarks, it is respectfully submitted that the requirement for restriction is unsustainable and should be withdrawn. Reconsideration of the restriction requirement and examination of all the claims on their merits is earnestly requested.

Respectfully submitted,



Dinah H. Lewitan  
Attorney for Applicant  
Registration No. 31,977  
WEINGRAM & ASSOCIATES, P.C.  
P.O. Box 927  
Maywood, NJ 07607  
TEL: (201) 843-6300  
FAX: (201) 843-6495

Dated: March 4, 2004